

5. SCOPE OF WORK

According to the Terms of Reference of the assignment, the Consultant will prepare the ESIA study in close cooperation with the wider FS team and document the results in an ESIA report. The ESIA process includes the development of a scoping report, which aims to define the scope of the ESIA study. The EIA process chart according to national requirements is presented in Figure 5-1.

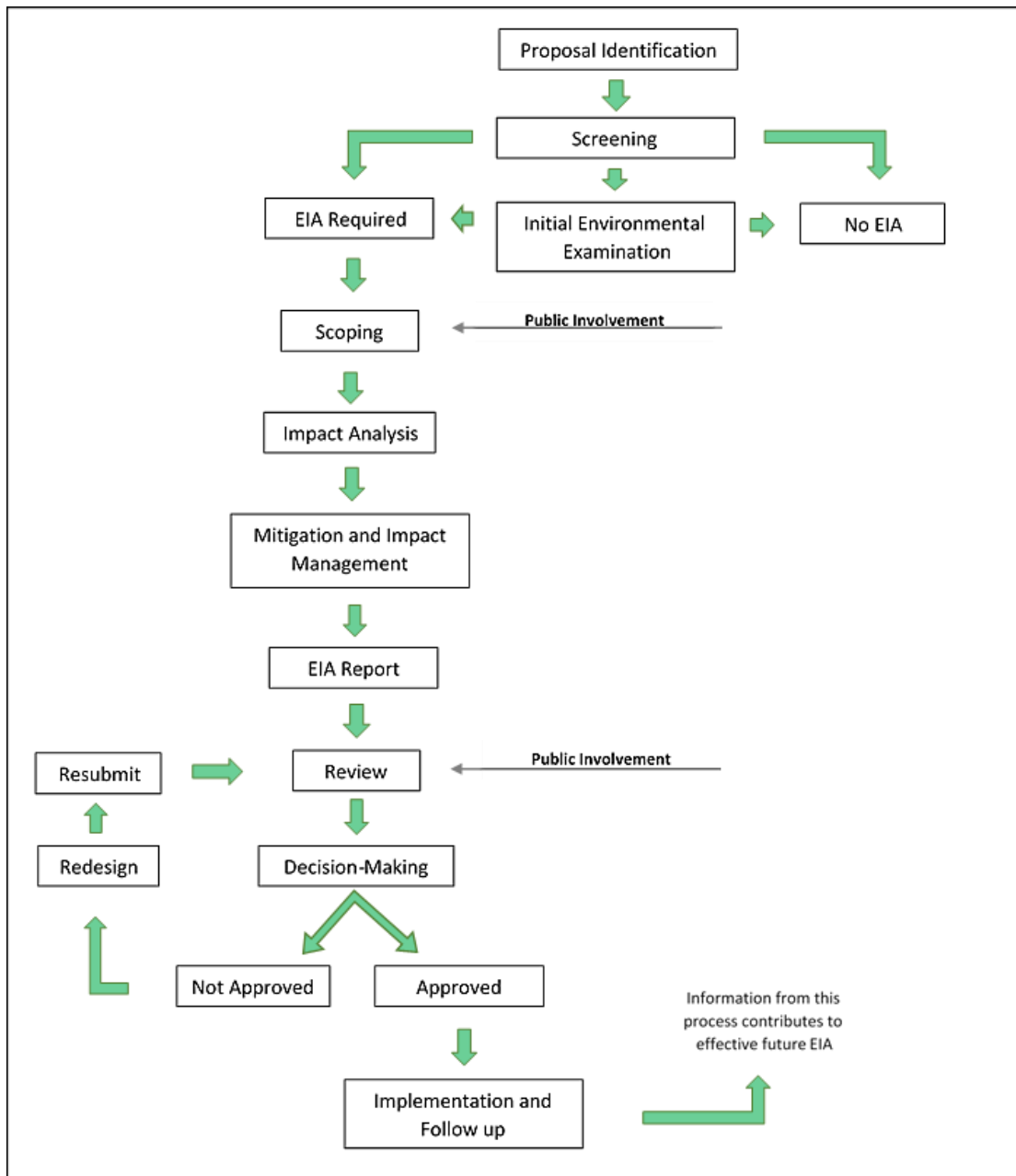


Figure 5-1: EIA Process in Lebanon

The following provides an overview of the overall sections and subsections of an ESIA process and is structured in accordance with MOE Decision 261/1 for 2015.

5.1. Policy, Legal and Administrative Framework

5.1.1. Authorities and Institutions

Several public institutions will be involved in the different phases of the proposed extension and upgrade of the pre-treatment WWTP in Daoura/Bourj Hammoud. These authorities and institutions are listed below and their relevant role and mandate will be described in the ESIA:

- Council for Development and Reconstruction
- Ministry of Environment
- Ministry of Energy and Water
- Directorate General for Urban Planning (DGUP) / Higher Council for Urban Planning (HCUP)
- Beirut and Mount Lebanon Water Establishment
- Ministry of Public Health (MOPH)
- Municipality of Bourj Hammoud where the WWTP is located
- Municipalities served by the project (listed below in Table 5-1)

Table 5-1: Municipalities Served by the Project

Area	Municipalities
Metn	Zalqa - Aamaret Chalhoub, Jall Ed Dib – Bqennaya, Byaqout, Antelias – Naqqach, Bsalim - Majzoub – Mezher, Mtayleb, Bsalim - Majzoub – Mezher, Dbayeh - Zouq El Kharab - Mar Youssef – Aaoukar, Beit Chaar - Mazraat El Hadira, Dik El Mehdi - Deir Tamish, Jdaidet El Matn - Baouchriyeh - Sadd El Baouchriyeh, Dekwaneh - Deir Mar Roukoz - Dahr El Hossein, Borj Hammoud, Sinn El Fil, Mansouriyeh - Mkalles – Daychouniyeh, Fanar, Ain Saadeh, Beit Meri, Roumieh, Qennabet Broummana, Nabay, Zakrit, Qornet Chahouane - Ain Aar - Beit El Kekko – Hbous, Mazraat Yachouaa, Qornet El Hamra, Beit Chabab - Chaouiyeh El Qnaytra, Saqiet El Misk – Bhersaf, Aatchaneh, Mar Chaaya – Mzakkeh, Broummana, Dahr Es Souane (Matn), Rabiyyeh
Beirut	Beirut
Baabda	Aaraiya, Baabda – Louayzeh, Hazmiyeh (Baabda) Hadath Beyrouth - Haret el Botm – Sibnay, Chiyah, Furn Ech Chebbak - Ain El Remmaneh - Tahouitat el Nahr

5.1.2. Relevant Environmental and Social Legislations

The extension and upgrade of the pre-treatment WWTP in Daoura/Bourj Hammoud, require a variety of actions that need to abide by national legislations that are enforced by various government institutions. The consultant will include a thorough legal and institutional framework that governs both the water and environmental sector in the ESIA report. The following is a preliminary list of relevant legal texts that will be reviewed:

- Law 77/2018 – Water Law
- Law 78/2018 – Air Quality Law

- Law 80/2018 – Integrated Solid Waste Management Law
- Law 251/2014 – Appointing Prosecutors and Investigative Judges for Environmental Affairs
- Law 37/2008 – Cultural Policy Law
- Law 690/2005 – Regulating the MOE and Defining its Tasks and Competences
- Law 444/2002 – Environmental Protection Law
- Law 337/2001 – Water Decentralization Law
- Law 221/2000 and its amendment Law 377/2001 – Organizations of Water Sector
- Law 241/2000 – Water Authorities Law
- Decree 5606/2019 – Hazardous Waste Management Decree
- Decree 8633/2012 – Fundamentals of EIA
- Decree 14596/2005 – Internal Regulations of BMLWE
- Decree 118/1977 – Municipal Act
- Decree 8735/1974 – Conservations of Public Hygiene
- Decree 2761/1933 – The prohibition of wastewater discharge into the sea and water streams
- MOE Decision 3/1 of 2005 – Environmental guidelines for the establishment and operation of small wastewater treatment plants
- MOE Decision 8/1 of 2001 – Setting national standards and criteria regarding air pollutants and liquid wastes generated by classified establishments and wastewater treatment plants
- MOE Decision 130/1 of 1998 – Designating Beirut River as a natural site protected by MOE
- MOE Decision 52/1 of 1996 – Requirements to protect air, water, and soil pollution

The legal framework will also cover policies, strategies, plans and programs including:

- The 2012 National Water Sector Strategy (NWSS) of 2012 and the 2020 NSWW update developed by MoEW;
- The 2015 Strategic Environmental Assessment (SEA) for the 2012 NWSS;
- Marine Protected Area Strategy of 2012;
- Lebanon’s National Biodiversity Strategy and Action Plan of 2016;
- National Action Plans for the Implementation of the LBS Protocol and Its Regional Plans in the Framework of SAP MED to Achieve Good Environmental Status for Pollution Related ECAP Ecological Objectives of 2016.
- National Physical Master Plan for the Lebanese Territory which classifies areas across Lebanon as residential, industrial, natural, protected areas and identifies water resources and major water vulnerable areas
- Integrated Monitoring and Assessment Programme of the Mediterranean Sea and Coast (IMAP)- Lebanon
- Mediterranean Action Plan under the Barcelona Convention

It will also address international treaties and conventions ratified by Lebanon including:

- Paris Agreement (2016)
- United Nations Framework Convention on Climate Change (1992)
- Convention on Biological Diversity (1992)
- Convention on the Conservation of Migratory Species of Wild Animals (CMS) (1983)
- Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources (1980)
- The Barcelona Convention (1976)

5.1.3. EBRD Performance Requirements (PR)

In addition to compliance with national legislations, all EBRD-financed projects should abide by the EBRD's Environmental and Social Policy of 2014. As part of its due diligence process, EBRD categorises any project under consideration based on its nature, location, sensitivity and scale, and thus the significance of its potential environmental and social impacts nature. As a result, the level of environmental and social investigations, information disclosure and stakeholder engagement required is determined. There are three categories adopted by EBRD for this purpose: A, B and C. According to PR1, "A project is categorised A when it could result in potentially significant environmental and/or social impacts, including direct and cumulative environmental and social impacts, which are new and additional and, at the time of categorisation, cannot readily be identified or assessed. Projects categorised as A require a formalised and participatory environmental and social impact assessment process." EBRD has categorised this Project as A and this scoping report is an early step in the ESIA process.

Through the ESIA, the project is assessed to ensure compliance with the EBRD's Performance Requirements (PRs) covering key areas of environmental and social impacts. The PRs that are potentially relevant to the proposed projects are listed below:

- PR 1 - Assessment and Management of Environmental and Social Impacts and Issues
- PR 2 - Labour and Working Conditions
- PR 3 - Resource Efficiency and Pollution Prevention and Control
- PR 4 – Health, Safety and Security
- PR 5 - Land Acquisition, Involuntary Resettlement and Economic Displacement
- PR 6 - Biodiversity Conservation and Sustainable Management of Living Natural Resources
- PR 8 - Cultural Heritage
- PR 10 - Information Disclosure and Stakeholder Engagement

For this Project, PR 7 (Indigenous Peoples) and PR 9 (Financial Intermediaries) are not considered relevant as there are no indigenous peoples in the project area according to the definition in PR7, and Financial Intermediaries and does not apply to this Project.

Moreover, under the Environmental and Social Policy 2014 and since EBRD is signatory to the European Principles for the Environment, EBRD is committed to promoting the adoption of EU environmental principles, practices and substantive standards by EBRD-financed projects, where these can be applied at the project level, regardless of their geographical location. The project is expected to meet more stringent standards when national regulations differ from EU substantive environmental standards., (EBRD, 2014).

EU Directives applicable to the Project:

- Directive concerning urban waste-water treatment (91/271/EEC);
- Directive on the assessment of the effects of certain public and private projects on the environment (codification) (2011/92/EU) as amended by Directive 2014/52/EU;
- Directive on industrial emissions (integrated pollution prevention and control) (2010/75/EU);
- Directive providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice (2003/35/EC);
- Directive on ambient air quality (2008/50/EC);
- Water Framework Directive (2000/60/EC);
- Directive on the protection of groundwater against pollution and deterioration (2006/118/EC);
- Waste Framework Directive (2008/98/EC);
- Directive on the conservation of natural habitats and of wild fauna and flora (92/43/EEC);
- Directive on the conservation of wild birds (2009/147/EC);
- Directive on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (86/278/EEC).

5.2. Public Participation and Stakeholder Engagement

According to national requirements (Decree 8633/2012) and EBRD PRs (PR 10: Information Disclosure and Stakeholder Engagement), the ESIA process requires stakeholder consultation during the ESIA. A public consultation campaign is planned to be conducted during the ESIA stage to allow the local community and interested stakeholders to inquire about the Project and voice any concerns they may have. Another consultation is planned at the end of the ESIA process, which would consist of disclosure of the results of the ESIA study and requesting feedback on the findings.

The consultations would target residents or local community representatives and other stakeholders that may be interested in the project, such as national and local governmental agencies (CDR, relevant ministries, BMLWE, The General Directorate of Urban Planning, Qaemmaqam of El Metn, municipalities within the catchment area, The Governor of Mount Lebanon, The Governor of Beirut), academic and research institutions and environmental and social Non-Governmental Organizations (NGOs). A list of active national and international NGOs is provided in Annex1 of the SEP (Annex II):.

Due to the Covid-19 situation and increased prevalence of cases in the country, the planned public participation will be done remotely and virtually. Alternative methods to the traditional public consultation session will be done taking into account national requirements regarding Covid-19 pandemic and EBRD briefing note on Stakeholder Engagement (PR10) – Covid-19 issued on 15 April 2020. In fact, the team is in continuous communication with the Municipality of Bourj Hammoud where the WWTP will be constructed, in order to present and confirm the alternative approaches for stakeholder engagement.

These alternatives will be applied by the municipality of Bourj Hammoud. In addition, the announcement for these sessions would be disseminated throughout the study area through the municipalities to ensure wide reach.

Table 5-2 represents a description of the proposed alternative approaches with Covid-19 restrictions. These approaches were discussed and supported by both the municipality and MoE. More details on the proposed alternative methods can be found in the Stakeholder Engagement Plan (SEP).

Table 5-2 Proposed alternative approaches with Covid-19 restrictions

Stakeholder Group	Proposed Method	Presented Information	Limitations
Local Community (including youth and women)	Hard copies of the project flyers Project leaflet on municipality webpages and announcement boards Phone calls WhatsApp group Online Skype or Zoom public hearing session	Project components and their locations Expected benefits Potential social and environmental impacts Proposed mitigation and management measures Grievance Mechanism for local community	Trust issues regarding anonymity Poor connection Difficulties related to the lack of descriptive means
Local and International NGOs	Online Skype or Zoom public hearing session Project leaflet to be uploaded on NGO web pages Report and follow up on all feedback received		
Women’s Associations	Online Skype or Zoom public hearing session		

Moreover, the consultant will stress with the participants on points related to anonymity and that personal data will not be shared with any other entities. Participants will also be informed that their concerns and information provided by them will be anonymously and discreetly used for the purpose of preparing the ESIA and making recommendations to the client.

It is worth noting that during the preparation of the EIA study conducted prior to Phase 1 construction of the WWTP, one public participation session was conducted during scoping on August 19, 2019 in order to present the project components to the public and concerned stakeholders and to take their concerns into consideration. The presentations made covered both phases of the Bourj Hammoud/Daoura WWTP. During these sessions, the participants raised concerns relating to the following:

- Time gap between Phase 1 and Phase 2
- Storm water drainage separation from the wastewater network
- Ensuring the quality of the treated effluent
- The area served by the project
- The fate of the generated sludge
- Control measures that will be taken in order to reduce odour emissions.

The participants also stressed the need to ensure that BMLWE has the sufficient capacity and resources to properly manage and operate the project once handover is completed.

5.3. Description of Proposed Project

5.3.1. Project Location

The proposed WWTP will be located in Daoura/Bourj Hammoud on 65,000 m² of reclaimed land on the Lebanese coast. As shown in Figure 5-2, the site is adjacent to Bourj Hammoud Landfill (to the east) (Figure 5-3), the Coral Composting Facility (south west), Port of Beirut (Figure 5-4) and several fuel storage tanks (Figure 5-5). The site of the WWTP is also adjacent to the discharge point of Beirut River as shown in Figure 5-6, as well as to the location of existing sea outfall pipe Figure 5-7. Annex III includes a detailed layout map of the project showing the existing sea outfall location with respect to the proposed WWTP.